

Message Text

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ORIGIN DLOS-09

INFO OCT-01 NEA-10 ISO-00 FEA-01 ACDA-07 AGRE-00
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00
DODE-00 DOTE-00 EB-08 EPA-01 ERDA-05 FMC-01
TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00 L-03
NSAE-00 NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-05
PRS-01 SP-02 SS-15 USIA-06 /123 R

DRAFTED BY D/LOS:G TAFT:LS
APPROVED BY D/LOS:FSM HODSOLL
OES:J BROWN
L/OES:T LEITZELL
NEA/INS:R F OBER,JR.
S/AR:A JAMES
-----108449 281055Z /23
R 271758Z JUL 77
FM SECSTATE WASHDC
TO AMEMBASSY KATHMANDU
INFO AMEMBASSY NEW DELHI

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E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: NEPAL

REF: KATHMANDU 3025

1. THE NEPALESE EMBASSY RECENTLY DELIVERED TO THE DEPARTMENT A STATEMENT CONCERNING THE THREE VITAL INTERESTS THAT NEPAL HAS IN THE LAW OF THE SEA CONFERENCE. DEPARTMENT'S POSITION WHICH SHOULD BE CONVEYED TO APPROPRIATE NEPALESE OFFICIALS IS AS FOLLOWS:

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A. RIGHT OF ACCESS AND TRANSIT. THE UNITED STATES IS SYMPATHETIC TO THE INTERESTS OF LANDLOCKED STATES IN ACCESS AND TRANSIT TO THE SEA. WE RECOGNIZE THE IMPORTANCE OF THIS SUBJECT TO NEPAL AS WELL AS TO OTHER LANDLOCKED COUNTRIES. WE BELIEVE THAT THE LAW OF THE SEA CONFERENCE CAN CONTRIBUTE TO THE EQUITABLE RESOLUTION OF THE PROBLEMS RELATED TO LAND-

LOCKED STATES.

B. ECONOMIC ZONE. THE UNITED STATES IS SYMPATHETIC TO THE CONCERNS OF THE LANDLOCKED AND GEOGRAPHICALLY DIS-ADVANTAGED STATES ON THE QUESTION OF ACCESS TO THE LIVING RESOURCES OF THE ECONOMIC ZONES OF THEIR NEIGHBORS. WE BELIEVE THAT AN EQUITABLE ACCOMMODATION OF THIS ISSUE CAN AND SHOULD BE REACHED AT THE NEXT SESSION OF THE LAW OF THE SEA CONFERENCE. WE SUPPORT THE EFFORTS OF THE CONFERENCE, BOTH WITHIN AND OUTSIDE THE COMMITTEE II STRUCTURE, IN THIS REGARD.

C. INTERNATIONAL SEABED AREA. THE UNITED STATES SUPPORTS THE CONCEPT THAT THE RESOURCES OF THE DEEP SEABED ARE THE ,COMMON HERITAGE OF MANKIND." IN THIS REGARD WE SUPPORT THE CONCLUSION OF A COMPREHENSIVE TREATY WHICH WILL GIVE MEANING TO THIS CONCEPT BY ACCOMMODATING THE INTERESTS OF ALL STATES CONCERNED. THROUGH SUCH A TREATY ALL STATES CAN BENEFIT FROM THE EXPLOITATION OF THE DEEP SEABED.

2. FYI. NEPAL IS A LEADING MEMBER OF THE 53 LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES (LL/GDS) AT THE CONFERENCE. ISSUES PARA 1 A) AND B) ABOVE ARE MATTERS WHICH MUST ESSENTIALLY BE WORKED OUT BILATERALLY AND IN SMALLER MULTILATERAL FORA ALTHOUGH THE LAW OF THE SEA CON-LIMITED OFFICIAL USE

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ERENCE CAN PROVIDE A FRAMEWORK WITHIN WHICH AGREEMENT MAY BE REACHED. BECAUSE OF THE VARIED BILATERAL CONTEXTS OF THESE ISSUES, IT IS MOST DIFFICULT FOR THE UNITED STATES TO INTERPOSE ITSELF AS A PUBLIC MEDIATOR IN THE LOS FORUM. IN LIGHT OF THE STRONGLY OPPOSED POSITIONS OF THE LL/GDS ON THE ONE HAND AND COASTAL STATES ON THE OTHER, THE U.S. HAS NOT STRONGLY TILTED ONE WAY OR THE OTHER ON THESE ISSUES. NEVERTHELESS, RESOLUTION OF LL/GDS ACCESS TO THE LIVING RESOURCES QUESTION IS CRITICAL TO THE SUCCESSFUL CONCLUSION OF A TREATY. IT IS HIGHLY UNLIKELY THAT THE LL/GDS WILL RECEIVE ANY RIGHTS WITH RESPECT TO NON-LIVING RPT NON-LIVING RESOURCES IN NEIGHBORING ECONOMIC ZONES. FINALLY, IT SHOULD BE NOTED THAT NEPAL AND THE LL/GDS IN GENERAL SUPPORT US IN PROTECTING NAVIGATION, OVERFLIGHT AND OTHER SIMILAR INTERESTS IN THE ECONOMIC ZONE. END FYI. VANCE

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